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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 J.A., a minor, by and through his Guardians ad
Litem, HASHIM and NINA ANDERSON,

12 Plaintiff,

13 vs.
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15 SAN FRANCISCO UNIFIED SCHOOL
DISTRICT; DOES 1 – 30, inclusive,

16 Defendants.
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Case No.

**DEFENDANT SAN FRANCISCO UNIFIED
SCHOOL DISTRICT'S NOTICE OF
REMOVAL OF ACTION UNDER 28 U.S.C.
§§ 1331, 1441, subds. (a) & (b), AND 1446,
subd. (b)**

[Removal based on Federal Question]

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

2 PLEASE TAKE NOTICE THAT Defendant SAN FRANCISCO UNIFIED SCHOOL
3 DISTRICT, a public entity hereby removes this action from the Superior Court for the State of
4 California, County of San Francisco, to the United States District Court for the Northern District of
5 California. This Request for removal is based upon 28 U.S.C. §§ 1331 and 1441, subdivisions (a) and
6 (b), as well as the facts described in this Notice.

7 The San Francisco Unified School District (“District”) is a defendant in a civil action filed on
8 April 7, 2020 in the Superior Court of the State of California, in and for the County of San Francisco,
9 entitled *J.A., a minor, by and through his Guardians ad Litem, HASHIM and NINA ANDERSON,*
10 *Plaintiff v. SAN FRANCISCO UNIFIED SCHOOL DISTRICT, a public entity; DOES 1 through 30,*
11 *Inclusive, Defendants*, San Francisco Superior Court Case No. CGC-20-584063. A true and correct
12 copy of the documents served upon the District are attached hereto and incorporated by reference as
13 **Exhibit A.**

14 The District was served with the documents identified in Exhibit A on May 5, 2020. This Notice
15 of Removal is therefore filed with this Court within the 30 day time period proscribed by 28 U.S.C. §
16 1446, subdivision (b). Aside from “DOE” defendants, there are no other named defendants in this
17 action.

18 This is a civil action of which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331,
19 and is one that may be removed to this Court by the District per the provisions of 28 U.S.C. § 1441,
20 subdivisions (a) and (b). An action is removable from state to federal court if the case could have been
21 originally commenced in federal court. *See* 28 U.S.C. § 1441, subds. (a) and (b). Specifically, the
22 Complaint alleges violations of Plaintiff’s rights under the following federal laws:

- 23 a) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §§ 794 et seq.) (First Cause of
- 24 Action);
- 25 b) Americans with Disabilities Act (42 U.S.C. §§ 12101 et seq.) (Second Cause of Action); and
- 26 c) Title VI of the Civil Rights Act of 1964 (Third Cause of Action).

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1 This Notice of Removal is being filed in this Court and in the Superior Court of the State of
2 California, County of San Francisco.

3 WHEREFORE, the above-entitled action, now pending in the Superior Court of the State of
4 California, County of San Francisco, is removed to the United States District Court for the Northern
5 District of California.

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7 Dated: June 4, 2020

Respectfully submitted,

8 **LOZANO SMITH**

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11 STEVE NGO

12 BRENDA ARZATE

13 Attorney for Defendants

14 SAN FRANCISCO UNIFIED SCHOOL DISTRICT

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